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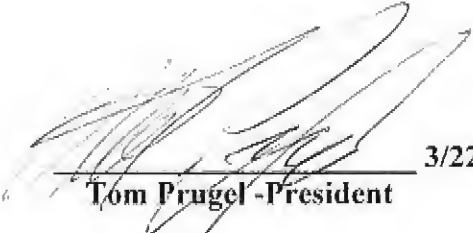
JUN 08 2017

TCEO
CENTRAL FILE ROOM

**LAKE DEERWOOD
PROPERTY OWNERS ASSOCIATION
PO BOX 698 HARLETON TX. 75651
903-777-4003**

To it may concern:

This is in response to your request for information on Lake Deerwood Property Owners Association Dam. At this time according to our people in Harleton, Tx., the dam posses no threat to anyone in that area. A part of the dam has been damaged do to the unusual heavy rains that occurred around the beginning of March. At this time the water is being lowered to more than a safe level. Plans are being put together at this time on how to repair the dam in the most efficient and safe way as possible. Our first step is to lower the water level in the dam. We have contacted FEMA and other organizations for their help and advice. As our plans come together we will keep you informed as what we will do. We plan on going beyond everyone safety measure required. More information will follow as our plans come together. Thank you for your understanding in this matter.


Tom Prugel - President

3/22/16

JUN 08 2017 10:53 AM

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Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Niemann, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 16, 2016

CONFIDENTIAL

Mr. Gary Bartuska
Vice President
Lake Deerwood Owners Assoc.
PO Box 698
Harleton, TX 75651


Subject: March 2016 Damage to Lake Deerwood Dam
(TX03582) Harrison County, Texas

Dear Mr. Bartuska:

The purpose of this letter is to notify you of serious safety deficiencies with Lake Deerwood Dam located on property owned by the Lake Deerwood Owners Association on Liberty Road in Harrison County, Texas. On March 15, 2016, Texas Commission on Environmental Quality (TCEQ) Dam Safety was notified by the Tyler Regional Office that significant damage occurred to the dam structure during storms the week of March 11, 2016. Images in local news reports show evidence that the service spillway pipe has failed and the downstream bank is severely eroded.

The downstream portion of the service spillway pipe apparently broke off within the embankment and the uncontrolled flow of water eroded a large portion of the downstream embankment. Available images indicate that a vertical scarp extends into the downstream side of the crest almost to the centerline of the dam.

These observations indicate that the dam integrity could be compromised and potentially cause a breach of the dam and loss of the reservoir. Of immediate concern is the potential for inundation of the downstream floodplain.

A large black rectangular redaction box covers the bottom portion of the letter, obscuring several lines of text.

Mr. Gary Bartuska
Page 2
March 16, 2016

The potential for failure of the dam prompts the TCEQ to **require you to initiate the removal or repair of the dam within 15 days from the date of this letter.**

At a minimum, this will involve the following: 1) lowering the lake level as soon as possible, 2) retaining a licensed professional engineer, and 3) submitting a written response to this letter with a plan and timeline for either repairing the dam or removing it. In addition, you should compile the names and phone numbers of all affected downstream property owners and contact local emergency management officials to formulate a plan of action in the event of a dam failure. As stated in 30 Texas Administrative Code (TAC) §299.22 (a)(4), construction plans must be submitted and accepted by the TCEQ Dam Safety Program before any modifications are made to the dam.

TCEQ Dam Safety staff and I are available to answer any questions you may have about the dam. Included for your convenience are a copy of the TCEQ Dam Removal Guidelines and a list of licensed Texas professional engineers with experience in dams. Do not feel limited to the names on this list, as you may choose any licensed engineer with dam experience.

Please call me to discuss any aspect of this letter or of the dam. I can be reached at (512) 239-5195.

Sincerely,



Warren D. Samuelson, P.E.
Dam Safety Section Manager
Critical Infrastructure Division, MC 177

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Enclosures: *Dam Removal Guidelines, GI-358*
 Dam Engineers List

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Niermann, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 31, 2016

Mr. Tom Prugle
President
Lake Deerwood Owners Assoc.
PO Box 698
Harleton, TX 75651

CONFIDENTIAL

Subject: March 2016 Damage to Lake Deerwood Dam
(TX03582) Harrison County, Texas

Dear Mr. Prugle:

In telephone conversations with you and Mr. Gary Bartuska (Vice President) on March 29, 2016, there was indication that the Lake Deerwood Owners Association plans to repair the dam and spillway of Lake Deerwood Dam. Texas Commission on Environmental Quality (TCEQ) recognizes that your Association operates on a volunteer basis with limited funding. We applaud your effort to restore the dam to a safe condition. However, TCEQ dam safety rules require that you retain the services of a licensed Texas professional engineer (P.E.) to prepare plans and oversee the permanent repairs to the dam. Failure to do so would be a violation of 30 Texas Administrative Code (TAC) §299.4.

TCEQ Dam Safety Rules (30 TAC§299.45) do allow for a provision for emergency repairs. But, even these are required to be supervised by a P.E. And, upon resolution of the emergency, require plans prepared by a professional engineer for permanent stabilization of the structure.

It is strongly encouraged that you retain the services of a P.E. to guide continuing lake lowering efforts such as operating siphons, notching the dam to prevent engagement of the damaged pipe spillway, stabilizing erosion of the embankment material, as well as designing and overseeing permanent repairs to the embankment and spillway. Failure to do so could increase liability in the event that a dam failure causes downstream property damage.

Mr. Tom Prugle
Page 2
March 31, 2016

Please call me to discuss any aspect of this letter or of the dam. I can be reached at (512) 239-5195.

Sincerely,

A handwritten signature in black ink, appearing to read "W.D. Samuelson", followed by a long horizontal flourish.

For Warren D. Samuelson, P.E.
Dam Safety Section Manager
Critical Infrastructure Division, MC 177

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**LAKE DEERWOOD
PROPERTY OWNERS ASSOCIATION
PO BOX 698
HARLETON TX. 75651
903-777-4003**

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APR 16 2016

To CW Snyder

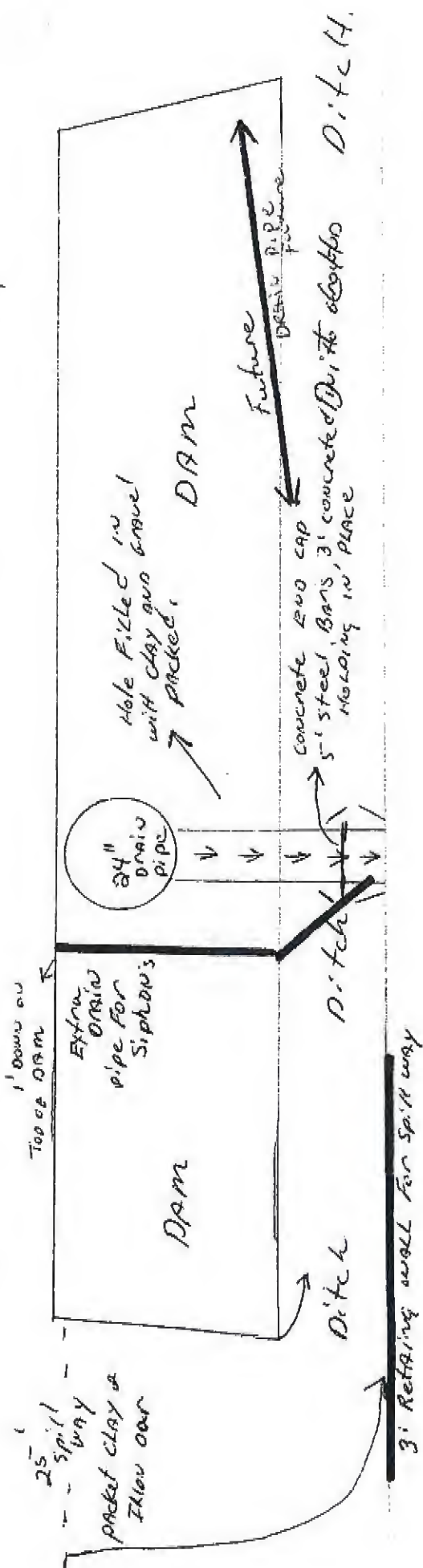
Enclosed is the progress we are at in repairing the Dam here in Lake Deerwood. As you know the last time TECQ had Lake Deerwood retain a licensed engineer it was very costly to Lake Deerwood and then was not needed or required then. As you know Lake Deerwood is limited on funding and felt that the money that we have spent last time would go to better use repairing the dam then being wasted on requirements that change without notice. We have a professional contractor that has worked on dams for over 30 years and made better changes to the last plans we had and feel the safety factor is better then ever before. Enclosed are pictures with information on them and a drawing on what we are doing at this time. The information you have given me will help to even improve the dam more as our money will dictate in the future. As we progress I will send you reports each time a change or new repairs have been made. Thank you for your understanding in this matter.

Tom Prugel
Tom Prugel - President 4/16/16

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APR 22 2016
Critical Infrastructure Division

Plan to do Subject
to change to Improve

LAKE



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ALL CONCRETE IS CLAY ON IRON AND
WITH 1" TOP SOLE TO GROW GRASS

Drain under
Road



Cover's Reef Layer in
Iron ore and clay

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Packed clay on
iron ore



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Packed CLAY AND
IRON ORE



Dozer Pushing
Clay and Iron ore

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widening of clay
Iron car



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25' SPILL WAY
on left side
of DAME (LBY area)
Tree bar to be covered
with 1" Top Soil to
grow grass



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Covered with 1"
top surface to 40 ft
above base.

THE MARSHALL NEWS MESSENGER

Monday, August 22, 2016



Fire Marshal: Lake Deerwood dam may give way in Harleton



By Caleb Brabham
March 12, 2016 at 4 a.m.

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HARLETON - The dam at Lake Deerwood continued eroding Friday due to the recent heavy rainfall according to Fire Marshal Thomas Mock.



Harrison County officials closed off the adjacent Liberty Road. County officials began encouraged residents living below the dam to voluntarily evacuate on Thursday.

"More has given way," Mock said, describing the earthen-wall dam that was slowly eroding away on the backside facing Liberty Road. "It will probably finally give way. It's slowly eroding away."



Mock said according to the topographic map of the area, nearby homes in the area should be safe from the flood water should the damn break.

"According to the flood map there are no homes in the flood area except one that has been told to evacuate," Mock said, stating the area homes should be safe, but he couldn't guarantee it. "The creek channel flows down behind and will cross the road again in a low-lying area where there are no homes."



The Harleton Fire Department, which was at the scene on Friday evening for public safety, said the water would eventually empty at Lake O' the Pines.

HFD Fire Chief Mike Harper said he believed the erosion of the dam to be under control.

"All efforts are being made to control the water," Harper said. "It has been a combined effort with the Harrison County Fire Marshal's Office, the Harrison County Sheriff's Office, the Harleton Fire Department, Davis Chemical and a few volunteers to try and control the water. Everything at this time seems to be under control.

"There has been a torrential amount of rain that is what caused this issue ... we are trying to get to get the water pump down so repairs can be made before the next large amount of rain."



Sheriff's Office Lt. Jay Webb issued a statement earlier Friday saying an attempt was being made to drain parts of the lake.

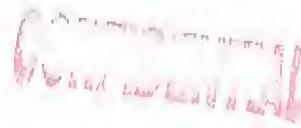
"Efforts are underway to pump water from the dam and relieve elevated pressure from the dam area of the lake," Webb said.

Several property owners were on hand to assist in any way they could.

"We're going to try to fix this," property owner David Fraser said.



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